

GRAYCARY. TECHNOLOGY'S LEGAL EDGE®

1221 S. MoPac Expressway, Suite 400
Austin, TX 78746-6875
www.graycary.com

O] 512-457-7000
F] 512-457-7001

October 10, 2002

FAX TRANSMISSION COVER SHEET

To:

**Ms. Haywood
U.S. Patent Office**

Telephone:

703-308-9632

Fax Number:

703-308-7749

From: **John J. Bruckner
512-457-7233**

Client-Matter Number:

Appn. No. 09/671,636
Re: **Copy of papers filed on April 10, 2001**

Pages: - 15 - (including this form) Originals: will be mailed will not be mailed

If there is a problem with this transmission, please call (512) 457-7065
Fax Operator/Ext.

Message:

Ms. Haywood:

Pursuant to your request, attached are the papers filed on April 10, 2001.

CONFIDENTIALITY NOTICE

This communication is ONLY for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly PROHIBITED. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you.

(Form Rev. 6/5/00)

Gray Cary\AU\4093338.1
9999998-91025

fm
Please indicate receipt of the below-identified paper:

New Application For:		Priority Date:	
<input type="checkbox"/>	Foreign priority already claimed	<input type="checkbox"/>	CPA <input type="checkbox"/>
<input type="checkbox"/>	Continuation <input type="checkbox"/> CIP	<input type="checkbox"/>	Divisional <input type="checkbox"/>
<input type="checkbox"/>	Specification: Pages	<input type="checkbox"/>	Drawings: Sheets
<input type="checkbox"/>	Response to Office Action Dated:	<input type="checkbox"/> Final Rejection	
Other: Transmittal Ltr.; Response to Notice to File MPS of NP Appln. filed under 37 CFR 1.53b mailed 11/15/00; Combined Declar./POA of Inventors; POA; Req. for Ext. of Time; copy of MPS Notice; \$2382.00 Check; Postcard <input checked="" type="checkbox"/> Assignment Enclosed <input checked="" type="checkbox"/> Cert. of Timely Mailing <input type="checkbox"/> Exp. Mail:			
IDENTIFICATION OF APPLICATION			
Serial No.:	09/671,636		
Title:	HYBRID SPREAD-SPECTRUM TECHNIQUE FOR EXPANDING CHANNEL CAPACITY		
Applicant:	William B. Dress, Jr., et al.		
Client:	UT-BATTELLE, LLC.		
Mailed:	04/06/01 Filed:		
Attorney:	F&J		
UBAT:	025US		
Due Date:	01/13/01		

APR 1 0 2001
PATENT & TRADEMARK OFFICE
OPIE 0C185

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
 600 CONGRESS AVENUE, SUITE 2400
 AUSTIN, TEXAS 78701

TELEPHONE: 512/474-5201
 FACSIMILE: 512/536-4598

WRITER'S INTERNET ADDRESS:
 JBRUCKNER@FULBRIGHT.COM

WRITER'S DIRECT DIAL NUMBER:
 512/536-3088

HOUSTON
 WASHINGTON, D.C.
 AUSTIN
 SAN ANTONIO
 DALLAS
 NEW YORK
 LOS ANGELES
 MINNEAPOLIS
 LONDON
 HONG KONG

FILE: UBAT:025US

April 6, 2001

CERTIFICATE OF MAILING
 37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below.

April 6, 2001

Date

John J. Bruckner

BOX MISSING PARTS
 Commissioner for Patents
 Washington, DC 20231

RE: SN 09/671,636 "HYBRID SPREAD-SPECTRUM TECHNIQUE FOR EXPANDING CHANNEL CAPACITY" - William B. Dress, Jr. et al. (Client Reference: 19867-747)

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed November 13, 2000;
- (2) Combined Declaration and Principal Power of Attorney executed by William B. Dress, Jr., Stephen F. Smith and Michael R. Moore;
- (3) Power of Attorney;
- (4) Request for Extension of Time;
- (5) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (6) Check in the amount of \$2382.00; and
- (7) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

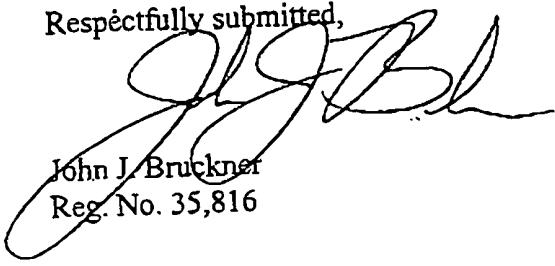
Commissioner for Patents

April 6, 2001

Page 2

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10026406/JJB.

Respectfully submitted,



John J. Bruckner
Reg. No. 35,816

JJB/mar

Encl: as noted

Commissioner for Patents

April 6, 2001

Page 3

bcc: Jack Spicer (w/encl.)
William B. Dress, Jr., Ph.D. (w/encl.)
Stephen F. Smith, Ph.D. (w/encl.)
Michael R. Moore (w/encl.)
David D. Bahler, Esq. (w/o encl.)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
William B. Dress, Jr. et al.

Serial No.: 09/671,636

Filed: September 27, 2000

For: HYBRID SPREAD-SPECTRUM
TECHNIQUE FOR EXPANDING
CHANNEL CAPACITY

Group Art Unit: 2631

Examiner: Unknown

Atty. Dkt. No.: UBAT:025US/JJB

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

April 6, 2001

Date

John J. Bruckner

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated November 13, 2000, there are enclosed herewith:

(a) Combined Declaration and Principal Power of Attorney executed on behalf of William B. Dress, Jr., Stephen F. Smith and Michael R. Moore;

(b) A Power of Attorney on behalf of UT-Battelle, LLC;

(c) Our check in the amount of \$2382.00 to cover the basic filing fee (\$710.00 - utility large entity); surcharge for late filing (\$130.00); additional claims fee (\$652.00); three month extension of time fee (\$890.00);

(d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted; and

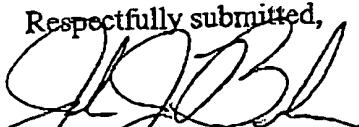
(e) A Request for Extension of Time of three months to and including April 13, 2001. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to UT-Battelle, LLC and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10026406/JJB.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



John J. Bruckner
Reg. No. 35,816
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: April 6, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/671,636	09/27/2000	William B. Dress JR.	19867-747

021971
 WILSON SONSINI GOODRICH & ROSATI
 650 PAGE MILL ROAD
 PALO ALTO, CA 943041050

FORMALITIES LETTER



OC00000005551491

Date Mailed: 11/13/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$642.
 - \$252 for 14 total claims over 20.
 - \$390 for 5 independent claims over 3.
- The oath or declaration is missing.
 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1462.

A copy of this notice MUST be returned with the reply.

Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

FULBRIGHT & JAWORSKI L.L.P.

VENDOR: 157960

Commissioner of Patents and Trademark Office CHECK NO: 92795

APPR#	INVOICE#	DATE	AMOUNT	DESCRIPTION	VOUCHER#
10548	0406200110548	04-06-01	2,382.00	Filing fee - Ext. Fee, Surcharge - 04-06-01 / 10026406 (UBAT:025US)	10165335

FULBRIGHT & JAWORSKI L.L.P.

A Registered Limited Liability Partnership
 600 Congress Avenue Suite 2400
 Austin, Texas 78701

Check Date _____
 Apr 06, 2001

Amount _____
 \$2,382.00

PAY: TWO THOUSAND THREE HUNDRED EIGHTY-TWO AND 00/100

TO Commissioner of Patents and Trademarks
 THE ORDER OF Washington, D.C. 20231


 Authorizing Signature

Two Signatures Required If Over \$10,000

10927951011400009315910546351*